

REMARKS

The Office Action

Claims 83, 87, 88, and 114-123 are pending were pending in this application.

Claims 114-123 are withdrawn. Claims 83, 87, and 88 are pending and under examination. Claim 83 is objected to for an error in the sequence for the peptide melanotan-II. Claim 83 stands further rejected under 35 U.S.C. § 102 for lack of novelty.

Objection to the Claims

Claims 83 is objected to for an error in the sequence for the peptide melanotan-II. Applicants have addressed this rejection by amendment of the claim 83.

The Examiner has identified a typographical error in the sequence listed for melanotan-II ('Ac-N1le4' should read 'Ac-N-Ile'). Applicants have corrected this error by amending claim 83. No new subject has been introduced with this amendment.

In view of this amendment to claim 83, applicants request that the objection to claim 83 be withdrawn.

Rejection Under 35 U.S.C. § 102

Claim 83 stands rejected under 35 U.S.C. § 102 as anticipated by Brent (U.S. Patent No. 5,512,473); Kemp (U.S. Patent No. 5,688,760); Tsien (U.S. Patent No. 5,625,048); Melief (U.S. Patent No. 5,679,641); and Harris (U.S. Patent No. 5,985,829).

As a basis for each of these rejections, the Examiner in which X matches the sequence for peptide histidine-methionine amide. Applicants have addressed each of these rejections by amendment of claim 83.

With respect to the definition of X, claim 83 has been amended to remove the peptide sequence for peptide histidine-methionine amide.

In view of this amendment to claim 83, applicants request that the rejection for lack of novelty be withdrawn.

CONCLUSION

Applicants submit that the claims are now in condition for allowance and such action is respectfully requested. To expedite prosecution applicants request a telephonic interview with the Examiner to discuss any remaining rejections. The Examiner is invited to call the undersigned at 617-428-0200.

Enclosed is a Petition to extend the period for replying to the Office action for three months, to and including Tuesday July 8, 2008, and a check in payment of the required extension fee.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date:

July 8, 2008

Kristina Bieker-Brady, P.I.D.
Reg. No. 39,109

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045